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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/672,864
Filing Date: September 26, 2003
Appellant(s): KARAOGUZ ET AL.

Joseph M. Butscher
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/21/08 appealing from the Office action mailed 2/29/08.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:
United States Application 10/667,833, filed on September 22, 2003.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

7,065,778	LU	6-2006
7,055,104	BILLMAIER	5-2006
7,084,994	KOPPICH	8-2006
7,170,546	POCOCK	1-2007

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-7, 9, 12-19, 21, 24, 37-42, 44-51, 53, 56-63, 65 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu, US Patent Number 7,065,778 B1, hereinafter Lu, in view of Billmaier et al., US Patent Number 7,055,104, hereinafter Billmaier.

3. Referring to claim 1, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

a first television display (display 212 of PVR 200A; figure 2 and Col 6 lines 21-28) in a first home with respect to a first user at the first home (the place where PVR 200A resides corresponds to "a first home"; Col 6 lines 43-61, Col 1 lines 64-67, figure 3, and a user exists to use each PVR in each home);

the first television display having an associated first set of options governing the consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200A with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200A, corresponds to associated first set of options governing the consumption of media);

a first storage (data storage device 218 of PVR 200A corresponds to "a first storage") in the first home that stores the media (Col 6 lines 50-53, Col 10 lines 40-43);

the first storage supporting consumption of the media by the first television display (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having a first network address (IP address of PVR 200A corresponds to "a first network address"; Col 10 lines 10-15, each PVR is associated with an IP address);

a second television display (display 212 of PVR 200; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to "a second home"; figure 3);

the second television display having an associated second set of options governing the consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200 with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200, corresponds to associated first set of options governing the consumption of media);

a second storage (data storage device 218 of PVR 200 corresponds to "a second storage") in the second home that stores the media (Col 5 lines 53-61, Col 10 lines 40-43);

the second storage (data storage device 218 of PVR 200) supporting consumption of the media by the second television display (Col 10 lines 26-29, 40-43, data storage device 218 of a PVR is used for storing TV programs for future viewing), and having a second network address (IP address of PVR 200 corresponds to "a second network address"; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a second user at the second home (a user exists to use each PVR in each home);

server software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the

TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer), receives, via a communication network (Internet 302) a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one or more of the associated first or second network addresses, a user identifier, and authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Billmaier teaches an interactive television system in a television network environment that is similar to Lu (figure 1 and related passage), and wherein that in each interactive television system contains a videoconferencing buddy list for the user video conferencing with other users in the network (Col 8 lines 63-67), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Billmaier to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and allow each user to organize friends and families on their own home television system for communication and information exchanging as taught by Billmaier (Col 1 lines 12-19).

4. Referring to claim 2, Lu as modified teaches the system of claim 1 wherein the first and second network protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Lu, Col 10 lines 10-15, each PVR is associated with an IP address).
5. Referring to claim 3, Lu teaches the system of claim 1 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
6. Referring to claim 4, Lu as modified as modified teaches the system of claim 1 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).
7. Referring to claim 5, Lu as modified teaches the system of claim 1 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col

7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

8. Referring to claim 6, Lu as modified teaches the system of claim 1 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

9. Referring to claim 7, Lu as modified teaches the system of claim 1 wherein each of the associated first and second sets of options governing the consumption of media comprises one or more of a media schedule, a device address, a device identifier, billing information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

10. Referring to claim 9, Lu as modified teaches the system of claim 1 wherein management comprises one or more of observing, setting, modifying, deleting, registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

11. Referring to claim 12, Lu as modified teaches the system of claim 1 wherein the server software functions to perform one or both of the storage and/or delivery of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

12. Referring to claim 13, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

a television display (display 212 of PVR 200A; figure 2 and Col 6 lines 21-28) in a first home (the place where PVR 200A resides corresponds to "a first home"; Col 6 lines 43-61, Col 1 lines 64-67, figure 3);

a first storage (data storage device 218 of PVR 200A corresponds to "a first storage") that stores the media (Col 6 lines 50-53, Col 10 lines 40-43), in the first home, the first storage communicatively coupled to the television display (display 212 of PVR 200A; figure 3 data storage device 218 is coupled to display 212), and having an associated first set of options governing the consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200A with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200A, corresponds to associated first set of options governing the consumption of media), and a first network address (IP address of PVR 200A corresponds to "a first network address";

Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a first user at the first home (a user exists to use each PVR in each home);

set top box circuitry (PVR 200A corresponds to "set top box circuitry"; Col 5 lines 26-35), in the first home, communicatively coupled to the first storage to support consumption of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200);

a personal computer monitor (display 212 of PVR 200; Col 6 lines 21-28, CRT and LCD display could be personal computer monitors) in a second home (the place where PVR 200 resides corresponds to "a second home"; figure 3);

a second storage (data storage device 218 of PVR 200 corresponds to "a second storage") that stores the media, in the second home (Col 5 lines 53-61, Col 10 lines 40-43), the second storage communicatively coupled to the personal computer monitor (display 212 of PVR 200; figure 3 data storage device 218 is coupled to display 212), and having an associated second set of options governing the consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200 with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200, corresponds to associated first set of options governing the consumption of media); and

having a second network address (IP address of PVR 200 corresponds to "a second

network address"; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a second user at the second home (a user exists to use each PVR in each home);

personal computer circuitry (PVR 200 corresponds to "personal computer circuitry"; Col 5 lines 26-35), in the second home, communicatively coupled to the second storage to support consumption of media (Col 6 lines 17-21, storage device 218 is used to support consumption of media);

server software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer), receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one or more of the associated first or second network addresses, a user identifier, and authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes

EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Billmaier teaches an interactive television system in a television network environment that is similar to Lu (figure 1 and related passage), and wherein that in each interactive television system contains a videoconferencing buddy list for the user video conferencing with other users in the network (Col 8 lines 63-67), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Billmaier to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and allow each user to organize friends and families on their own home television system for communication and information exchanging as taught by Billmaier (Col 1 lines 12-19).

13. Referring to claim 14, Lu as modified teaches the system of claim 13 wherein the first and second network protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Lu, Col 10 lines 10-15, each PVR is associated with an IP address).

14. Referring to claim 15, Lu as modified teaches the system of claim 13 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
15. Referring to claim 16, Lu as modified as modified teaches the system of claim 13 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).
16. Referring to claim 17, Lu as modified teaches the system of claim 13 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).
17. Referring to claim 18, Lu as modified teaches the system of claim 13 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).
18. Referring to claim 19, Lu as modified teaches the system of claim 13 wherein each of the associated first and second sets of options governing the consumption of media comprises one or more of a media schedule, a device address, a device identifier, billing

information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

19. Referring to claim 21, Lu as modified teaches the system of claim 13 wherein management comprises one or more of observing, setting, modifying, deleting, registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

20. Referring to claim 24, Lu as modified teaches the system of claim 13 wherein the server software functions to perform one or both of the storage and delivery of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

21. Referring to claim 37, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

set top box circuitry (PVR 200A), in a first home (the place where PVR 200A resides corresponds to "a first home"; Col 6 lines 43-61, Col 1 lines 64-67, figure 3), communicatively coupled to a first storage in the first home (figure 2, PVR 200A coupled to the storage 218), the first storage having an associated first set of options governing the

consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200A with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200A), with respect to the first user at the first home (each PVR is associated with a subscriber), to support consumption of media using a television display (display 121 of PVR 200A; figure 2 and Col 6 lines 39-45) in the first home (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200A with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs);

circuitry, (data storage device 218 of PVR 200, figure 2) in the second home (figure 3, PVR 200 is physically separated from PVR 200A, Col 6 lines 43-61, Col 1 lines 64-67), communicatively coupled to a second storage home (figure 2, PVR 200 coupled to the storage 218), having an associated second set of options governing the consumption of media (every PVR is having the associated options for scheduling and controls) and a second network address address (IP address of PVR 200 corresponds to "a second network address"; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a second user at the second home (a user exists to use each PVR in each home), to support consumption of media using a computer or other monitor or display in a second home (display 212 of PVR 200; Col 6 lines 21-28, figure 3); and

software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV

show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer), receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one or more of the associated first or second network addresses, a user identifier, and/or authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Billmaier teaches an interactive television system in a television network environment that is similar to Lu (figure 1 and related passage), and wherein that in each interactive television system contains a videoconferencing buddy list for the user video conferencing with other users in the network (Col 8 lines 63-67), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Billmaier to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and allow each user to organize friends and families on their own home television system for communication and information exchanging as taught by Billmaier (Col 1 lines 12-19).

22. Referring to claim 38, Lu as modified teaches the system of claim 37 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).
23. Referring to claim 39, Lu as modified as modified teaches the system of claim 37 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).
24. Referring to claim 40, Lu as modified teaches the system of claim 37 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

25. Referring to claim 41, Lu as modified teaches the system of claim 37 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

26. Referring to claim 42, Lu as modified teaches the system of claim 37 wherein the associated first and second sets of options governing the consumption of media comprises one or more of a media schedule, a device address, a device identifier, billing information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

27. Referring to claim 44, Lu as modified teaches the system of claim 37 wherein the management comprises one or more of observing, setting, modifying, deleting, registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

28. Referring to claim 45, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

a first television display (display 212 of PVR 200A; figure 2 and Col 6 lines 21-28) in a first home (the place where PVR 200A resides corresponds to "a first home"; Col 6 lines 43-61, Col 1 lines 64-67, figure 3), communicatively coupled to a first storage in the first home (data storage device 218 of PVR 200A corresponds to "a first storage", figure 2), the first storage having a first network address (IP address of PVR 200A corresponds to "a first network address"; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a first user in a first home (a user exists to use each PVR in each home);

a second television display (display 212 of PVR 200; Col 6 lines 21-28) in a second home (the place where PVR 200 resides corresponds to "a second home"; figure 3), communicatively coupled to a second storage in the second home (data storage device 218 of PVR 200 corresponds to "a first storage", figure 2), the second storage having a second network address (IP address of PVR 200 corresponds to "a first network address"; Col 10 lines 10-15, each PVR is associated with an IP address) with respect to a second user in a second home (a user exists to use each PVR in each home), the second television having an associated first set of options governing the consumption of media (Col 6 lines 39-58, Col 9 lines 29-44, PVR 200 with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs, the functions provided from EPG to allow user schedule and program remote recording at PVR 200);

software (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired

TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer), receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one or more of the associated first or second network addresses, a user identifier, and/or authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Billmaier teaches an interactive television system in a television network environment that is similar to Lu (figure 1 and related passage), and wherein that in each interactive television system contains a videoconferencing buddy list for the user video

conferencing with other users in the network (Col 8 lines 63-67), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Billmaier to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list of other users and allow each user to organize friends and families on their own home television system for communication and information exchanging as taught by Billmaier (Col 1 lines 12-19).

29. Referring to claim 46, Lu as modified teaches the system of claim 45 wherein the first and second network protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Lu, Col 10 lines 10-15, each PVR is associated with an IP address).

30. Referring to claim 47, Lu as modified teaches the system of claim 45 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

31. Referring to claim 48, Lu as modified as modified teaches the system of claim 45 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).

32. Referring to claim 49, Lu as modified teaches the system of claim 45 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

33. Referring to claim 50, Lu as modified teaches the system of claim 45 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

34. Referring to claim 51, Lu as modified teaches the system of claim 45 wherein each of the associated first and second sets of options governing the consumption of media comprises one or more of a media schedule, a device address, a device identifier, billing information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

35. Referring to claim 53, Lu as modified teaches the system of claim 45 wherein management comprises one or more of observing, setting, modifying, deleting,

registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

36. Referring to claim 56, Lu as modified teaches the system of claim 45 wherein the server software functions to perform one or both of the storage and delivery of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

37. Referring to claim 57, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

at least one processor (EGP server 304) that maintains a user defined association of the first and second network addresses (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested by user from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A is made when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer) with respect to a first and second users, respectively, in the first and second homes, respectively, (a user exists to use each PVR in each home), the at least one processor), receives, via a communication network (Internet 302) a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one or more of the associated first

or second network addresses, a user identifier, and authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not explicitly teach, wherein the second user is known to the first user.

Billmaier teaches an interactive television system in a television network environment that is similar to Lu (figure 1 and related passage), and wherein that in each interactive television system contains a videoconferencing buddy list for the user video conferencing with other users in the network (Col 8 lines 63-67), and wherein the users in the buddy list must be known to the user.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the buddy list of Billmaier to Lu, so that each user in each home of Lu can maintains a buddy-list of other users in other homes.

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the buddy-list would allow each user to maintain a list

of other users and allow each user to organize friends and families on their own home television system for communication and information exchanging as taught by Billmaier (Col 1 lines 12-19).

38. Referring to claim 58, Lu as modified teaches the system of claim 57 wherein the first and second network protocol addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Lu, Col 10 lines 10-15, each PVR is associated with an IP address).

39. Referring to claim 59, Lu as modified teaches the system of claim 57 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

40. Referring to claim 60, Lu as modified as modified teaches the system of claim 57 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).

41. Referring to claim 61, Lu as modified teaches the system of claim 57 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

42. Referring to claim 62, Lu as modified teaches the system of claim 57 wherein consumption comprises one or more of playing audio, displaying a still image, displaying

video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

43. Referring to claim 63, Lu as modified teaches the system of claim 57 wherein each of the associated first and second sets of options governing the consumption of media comprises one or more of a media schedule, a device address, a device identifier, billing information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

44. Referring to claim 65, Lu as modified teaches the system of claim 57 wherein management comprises one or more of observing, setting, modifying, deleting, registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

45. Referring to claim 68, Lu as modified teaches the system of claim 57 wherein the server software functions to perform one or both of the storage and delivery of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

46. Claims 8, 20, 43, 52 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu, US Patent Number 7,065,778 B1, hereinafter Lu, in view of Billmaier , and in further view of Koppich et al., US Patent Number 7,084,994, hereinafter Koppich.

47. Referring to claims 8, 20, 43, 52 and 64, Lu teaches the invention as described in claims 7, 19, 42, 51, and 63. Lu does not specifically teach the media filtering information comprises one or more of an industry rating, a program time, a language, content information and/or a personal program preference.

However, Koppich teaches at a cable head end, the resident software maintains a directory of user profiles in a preference directory, wherein the profiles includes subscribers information, set top box capabilities and blocking filters (Col 11 lines 32-36).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate user profiles with user preferences of Koppich to Lu, because Lu and Koppich both teaches inventions related to video services with set top box. Lu teaches a system of users using personalized video recorders to record desired television show from remote locations (Col 6 lines 39-58), and Koppich suggests a user profile resides on a cable head end, which includes filtering information and user preferences (Col 11 lines 32-36).

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the filtering information with personal program preferences would allow the personalized video recorder of Lu accepts only the television shows that meet criteria specified by the filtering data as taught by Koppich (Col 11 lines 36-39).

48. Claims 10, 11, 22, 23, 25-32, 34-36, 54, 55, 66 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu, US Patent Number 7,065,778 B1, hereinafter Lu, in views of Billmaier and/or Pocock, US Patent Number 7,170,546, hereinafter Pocock.

49. Referring to claims 10, 22, 54, and 66, Lu as modified teaches the invention as described in claims 1, 13, 45 and 57. Lu teaches the server software/processor (EGP server 304) that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200) that identifies one of the associated first or second network addresses, a user identifier, and authorization information (Col 10 lines 10-15, IP address of PVR 200 is identified as the requester), and responds by identifying the other of the associated first or second network addresses (Col 6 lines 45-50, network address of PVR 200A is located (identified) for server to send request to record desired TV shows) to support the management of one of the associated first or second sets of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not specifically teach a telephone voice response system for receiving user input via a telephone network, and having an associated third network address, and server software that receives a request from the telephone voice response system.

However, Pocock teaches a telephone voice response system (Col 6 lines 19-37; Col 12 lines 26-31) for receiving user input via a telephone network (Col 6 lines 28-30,

user gives inputs to the system via telephone network), and having an associated third network address (a telephone in a telephone network is inherently associated with a network address such as the telephone number of the telephone), and server software that receives a request from the telephone voice response system (Col 6 lines 21-25, viewer sends instructions to server via telephone).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the telephone voice response system of Pocock into Lu because both Lu and Pocock teaches television system that distributes video to viewers (figure 3 of Lu and figure 3 of Pocock), and Pocock suggests the use of telephone network in the system of Lu for requesting television shows (Col 6 lines 19-37).

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the telephone network would allow the existing system of Lu to expand by having the system connecting with a telephone network as taught by Pocock (Col 6 lines 19-37) which would allow a wider range of users to utilize the system of Lu.

50. Referring to claims 11, 23, 55 and 67, Lu teaches the system of claims 10, 22, 54, and 66, wherein the telephone voice response system recognizes one or both of human speech and dual-tone multi-frequency (DTMF) signals (Col 6 lines 26-31, input of DTMF tones).

51. Referring to claim 25, Lu teaches a system (system 300, figure 3) supporting the management of options related to media consumption (Col 7 lines 31-34, Col 6 lines 39-45), the system comprising:

a storage (data storage device 218 of PVR 200A corresponds to "a storage") for storing the media (Col 6 lines 50-53, Col 10 lines 40-43);

set top box circuitry (PVR 200A corresponds to "set top box circuitry"; Col 5 lines 26-35), supporting the consumption of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200) via a communication network (see figure 3), the set top box circuitry communicatively coupled to the storage (figure 2, PVR 200A coupled to the storage 218);

server software (EGP server 304) that receives a request (Col 9 lines 8-10, 29-44, server receives a request from PVR 200), and responds by enabling the management of one of the associated set of options governing the consumption of media (Col 6 lines 39-58, EPG server supports the management of the options governing the consumption of media from PVRs; for example PVR 200 utilizes EPG to request desired TV shows requested to be recorded from PVR 200A, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

Lu does not specifically teach a telephone voice response system for receiving user input via a telephone network, and server software that receives a request from the telephone voice response system.

However, Pocock teaches a telephone voice response system (Col 6 lines 19-37; Col 12 lines 26-31) for receiving user input via a telephone network (Col 6 lines 28-30,

user gives inputs to the system via telephone network), and server software that receives a request from the telephone voice response system (Col 6 lines 21-25, viewer sends instructions to server via telephone).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the telephone voice response system of Pocock into Lu because both Lu and Pocock teaches television system that distributes video to viewers (figure 3 of Lu and figure 3 of Pocock), and Pocock suggests the use of telephone network in the system of Lu for requesting television shows (Col 6 lines 19-37).

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the telephone network would allow the existing system of Lu to expand by having the system connecting with a telephone network as taught by Pocock (Col 6 lines 19-37) which would allow a wider range of users to utilize the system of Lu.

52. Referring to claim 26, Lu as modified teaches the system of claim 25 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

53. Referring to claim 27, claim 27 encompasses a similar scope of the invention as that of the claims 25. Therefore, claims 27 is rejected on the same ground the claim 25.

54. Referring to claim 28, Lu teaches the system of claim 27 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Lu, Col 7 lines 1-8, PVR 200, 200A and EGP server 304 may be coupled via coaxial cable, copper wire, fiber optics, the Internet 302, wireless communication and the like).

55. Referring to claim 29, Lu as modified teaches the system of claim 27 wherein the communication network is the Internet (Lu, Col 7 lines 1-8, Internet 302).

56. Referring to claim 30, Lu as modified teaches the system of claim 27 wherein the media comprises one or more of audio, a still image, video, real-time video and/or data (Lu, Col 7 lines 25-28, network 300 operate with any type of media content: audio, video, graphics, information, data, and/or the like in any type of format).

57. Referring to claim 31, Lu as modified teaches the system of claim 27 wherein consumption comprises one or more of playing audio, displaying a still image, displaying video, and/or displaying data (Col 6 lines 23-28, display devices is suitable for displaying video and/or graphic images and alphanumeric characters recognizable to a user; Col 7 lines 25-28, types of media supported by system 300 are audio, video, graphics, information, data, and/or the like in any type of format).

58. Referring to claim 32, Lu as modified teaches the system of claim 27 wherein each of the associated first and second sets of options governing the consumption of media comprises

one or more of a media schedule, a device address, a device identifier, billing information, tracking information channel setup information, program setup information, digital rights management information, media caching information, media storage information, media filter information, a user profile, and/or pay-per-view event information (Col 6 lines 35-58, user uses EGP to select desired TV show for recording, which includes media scheduling and program setup information).

59. Referring to claim 34, Lu as modified teaches the system of claim 27 wherein management comprises one or more of observing, setting, modifying, deleting, registering, authenticating, and/or determining authority (Col 6 lines 45-58, EPG server locates the PVRs situated in within a broadcast region of the requested television show covers the limitation of observing and determining authority).

60. Referring to claim 35, Lu as modified teaches the system of claim27, wherein the telephone voice response system recognizes one or both of human speech and dual-tone multi-frequency (DTMF) signals (Col 6 lines 26-31, input of DTMF tones).

61. Referring to claim 36, Lu as modified teaches the system of claim 27 wherein the server software functions to perform one or both of the storage and/or delivery of media (Col 6 lines 54-58, PVR 200A is used to record desired TV shows requested from PVR 200, and once PVR 200A record the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200).

62. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lu, in view of Pocock in further views of Koppich et al., US Patent Number 7,084,994, hereinafter Koppich.

63. Referring to claim 33, Lu teaches the invention as described in claim 27. Lu does not specifically teach the media filtering information comprises one or more of an industry rating, a program time, a language, content information and/or a personal program preference.

However, Koppich teaches at a cable head end, the resident software maintains a directory of user profiles in a preference directory, wherein the profiles includes subscribers information, set top box capabilities and blocking filters (Col 11 lines 32-36).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate user profiles with user preferences of Koppich to Lu, because Lu and Koppich both teaches inventions related to video services with set top box. Lu teaches a system of users using personalized video recorders to record desired television show from remote locations (Col 6 lines 39-58), and Koppich suggests a user profile resides on a cable head end, which includes filtering information and user preferences (Col 11 lines 32-36).

A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the filtering information with personal program preferences would allow the personalized video recorder of Lu accepts only the television shows that meet criteria specified by the filtering data as taught by Koppich (Col 11 lines 36-39).

(10) Response to Argument

1. Appellant argues Lu does not indicate that a user defines an association between first and second network addresses, or that a server mains that user defined association. Even if one assumes there is an "association" between two recorders, such association is arbitrarily determined by the EPG, but is clearly not "user defined".

In response to appellant's argument, Lu in Col 6 lines 54-58, teaches where PVR 200A is used to record desired TV shows **requested** by user from PVR 200, and once PVR 200A recorded the TV show, PVR 200A transmits the TV show to the EGP server 304, which then transmits the TV show to the requested PVR 200; the association of PVR 200 and PVR 200A occurs when PVR 200A is identified to record the user desired program, and the server must maintain the association of the network address of PVR 200 and 200A for media transfer (Lu in Col 10 lines 10-15 shows that each PVR is associated with an IP address). When the user **requests** a desired TV show, the system is making the association of PVR 200 and PVR 200A **based on user's request**, the association of PVR 200 and 200A is **defined by the user**. Appellant argues that the association is determined by the EGP but is clearly not "user defined". The examiner disagrees. If the associated is determined by the EGP server based on the user's request for user desire show, then it is clear that the association is "EGP determined" and "user defined". EGP server can't define which PVR to record the show; it is the user that requests a particular show that defines that allow the EGP server to locate the PVR.

2. Appellant argues Lu does note teach "responding to a request by identifying the other network address"

In response to appellant's argument, Lu teaches PVR 200 sends a request to EPG server 304 to locate PVR 200A and/or PVR 200B (Col 6 lines 43-50), where each PVR is associated with an IP addresses (network address)(Col 10 lines 10-12, each PVR is associated with an IP address). Based on the request from PVR 200, PVR 200A/200B is responding with the requested content back to the requesting PVR 200. Network addresses for each PVR has to be identified to allow the recorded show to be transmitted back to either the EGP or the requesting PVR.

3. Appellant argues Lu and Pocock do note describe, teach or suggest "server software that receives from the telephone voice response system a request, and responds by enabling the management of the associated set of options governing the consumption of media.

In response to appellant's argument, Lu discloses Lu in Col 6 lines 39-58, Col 9 lines 29-44, discloses, PVR 200 with display 212 supports users to utilize EPG at the first home to select and record desired TV show from remote PVRs. Functions provided from EPG to allow user schedule and program remote recording at PVR 200, corresponds to "associated first set of options governing the consumption of media". It is known that EGP provides options for user to schedule program recordings. However, Lu has the EPG receives the options from the user at first home and does not teach a telephone voice response system

to send the user requests to the EGP. Pocock discloses that request instructions can be send from a telephone system (telephone voice response system) to the central location (server) (Col 6 lines 19-37, Col 12 lines 26-31). Pocock provides an idea to Lu, which allows Lu to have an option to receive user requests from a telephone voice response system. A person with ordinary skill in the art would have been motivated to make the modification to Lu because having the telephone network would allow the existing system of Lu to expand by having the system connecting with a telephone network as taught by Pocock (Col 6 lines 19-37) which would allow a wider range of users to utilize the system of Lu.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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February 5, 2009

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